

Appl. No.  
Response Dated October 8, 2009  
Reply to Office Action of July 8, 2009

10/616,108  
Examiner: Tan, Alvin H.  
TC/A.U. 2173

Docket No.

**Amendments to the Drawings:**

The attached sheets of drawings includes changes to FIG. 1, FIG. 2, FIG. 3, FIG. 4, FIG. 5, and FIG. 6. The first sheet, which includes FIG. 1, replaces the original sheet including FIG. 1. The second sheet, which includes FIG. 2, replaces the original sheet including FIG. 2. The third sheet, which includes FIG. 3, replaces the original sheet including FIG. 3. The fourth sheet, which includes FIG. 4, replaces the original sheet including FIG. 4. The fifth sheet, which includes FIG. 5, replaces the original sheet including FIG. 5. The sixth sheet, which includes FIG. 6, replaces the original sheet including FIG. 6. No elements have been added, modified, or deleted.

Attachment: Replacement Sheets

## **REMARKS**

### **Overview**

These remarks are set forth in response to the Final Office Action. Presently, claims 1, 2, 4, 6-14, 16, 18-22, 24 and 26-28 are pending in the Patent Application. Claims 1, 10, 21 and are independent in nature. Favorable reconsideration and allowance of the pending claims are respectfully requested.

Applicant has amended claims 1, 4, 10, 16, 21, and 24 in order to facilitate prosecution on the merits. Applicant respectfully requests entry and consideration of the above amendments even though presented after a final rejection. Applicant submits that the amendments do not raise new issues or require a new search. Further, entry and consideration of the amendments may isolate issues for potential allowance or appeal. The amendments were not presented earlier in the prosecution due to a better understanding of the Examiner's position as reflected in the latest Office Action.

### **Figures**

Figures 1-3 and 4 stand objected to. Replacement figures have been provided with this office action in response to the Examiner's objection. As such, Applicant respectfully traverses the objection based on the replacement figures, and requests reconsideration and withdrawal of the objection.

### **35 U.S.C. § 112**

Claims 1, 2, 4, 6-14, 16, 18-22, 24 and 26-28 stand rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Applicant respectfully traverses the rejection based on the above amendments. These claims have been amended in accordance with the Office Action, and removal of this rejection is respectfully requested.

Claims 1, 2, 4, 6-14, 16, 18-22, 24 and 26-28 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicant respectfully traverses the rejection based on the above amendments. These claims have been amended in accordance with the Office Action, and removal of this rejection is respectfully requested.

**35 U.S.C. § 103**

Claims 1, 2, 4, 6-14, 16, 18-22, 24 and 26-28 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over United States Patent Publication No. 2003/0228863 to Vander Veen et al. (hereinafter “Vander Veen”) in view of United States Patent No. 6,819,304 to Branson (hereinafter “Branson”). Applicants respectfully traverse the rejection, and requests reconsideration and withdrawal of the rejection.

According to MPEP § 2143, three basic criteria must be met to establish a *prima facie* case of obviousness. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill

in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). See MPEP 706.02(j).

Applicant submits that the cited references, taken alone or in combination, fail to teach each and every element recited in claims 1, 2, 4, 6-14, 16, 18-22, 24 and 26-28 and thus they define over the cited references. For example, with respect to claim 1, the cited references fail to teach at least the following language:

a fixed display screen having a single physical size that is  
configurable between a first viewable size configuration  
and a second, physically larger, viewable size configuration

According to the Office Action, the above-recited language is disclosed by Branson at column 2, lines 23-36, column 3, lines 42-55, and column 8, line 60, to column 9, line 20. This assertion is respectfully traversed.

Applicant respectfully submits that claim 1 defines over Branson because the Branson fails to disclose, teach or suggest at least a fixed display screen having a single physical size. As provided for in the Specification at FIG. 1, the fixed display screen provides a significant technical advantage because the physical size of the viewable size configuration can be adjusted without the addition or removal of separate pieces or by unfixing the screen. As stated in the Office Action, this is disclosed by Branson at column 2, lines 23-36. However, Branson, at this cite, discloses, in relevant part, “a plurality of display segments.” As disclosed by Branson at column 3, lines 42-55, this

plurality of display segments can be made to show a physically larger or smaller viewable size configuration by either attaching or removing display segments, or by folding or unfolding display segments. Applicant respectfully submits that a display which can change its viewable size configuration by attaching or removing display segments is different than a display screen having a single physical size. Applicant respectfully submits that a display which can change its viewable size configuration by folding or unfolding display segments is different than a fixed display. As shown in FIG. 1, for example, the viewable size configuration of the device is changed while the display itself remains fixed. Consequently, the cited references, whether taken alone or in combination, fail to disclose, teach or suggest every element recited in claim 1.

Absence from the cited references of the above-mentioned claim elements negates obviousness. Accordingly, Applicant respectfully requests removal of the obviousness rejection with respect to claim 1. Furthermore, Applicant respectfully requests withdrawal of the obviousness rejection with respect to claims 2, 4, and 6-9, which depend from claim 1, and therefore contain additional features that further distinguish these claims from the cited references.

Independent claims 10 and 21 recite elements similar to those recited in claim 1. Therefore, Applicant respectfully submits that claims 10 and 21 are not obvious and are patentable over the cited references for reasons analogous to those presented with respect to claim 1. Accordingly, Applicant respectfully requests removal of the obviousness rejection with respect to claims 10 and 21. Furthermore, Applicant respectfully requests withdrawal of the obviousness rejection with respect to claims 11-14, 16, 18-19, 22, 24,

and 26-28 that depend from claims 10 and 21, and therefore contain additional features that further distinguish these claims from the cited references.

### **Conclusion**

For at least the above reasons, Applicant submits that claims 1, 2, 4, 6-14, 16, 18-22, 24 and 26-28 recite novel features not shown by the cited references. Further, Applicant submits that the above-recited novel features provide new and unexpected results not recognized by the cited references. Accordingly, Applicant submits that the claims are not anticipated nor rendered obvious in view of the cited references.

Applicant does not otherwise concede, however, the correctness of the Office Action's rejection with respect to any of the dependent claims discussed above. Accordingly, Applicant hereby reserves the right to make additional arguments as may be necessary to further distinguish the dependent claims from the cited references, taken alone or in combination, based on additional features contained in the dependent claims that were not discussed above. A detailed discussion of these differences is believed to be unnecessary at this time in view of the basic differences in the independent claims pointed out above.

It is believed that claims 1, 2, 4, 6-14, 16, 18-22, 24 and 26-28 are in allowable form. Accordingly, a timely Notice of Allowance to this effect is earnestly solicited.

The Examiner is invited to contact the undersigned at 724-933-9338 to discuss any matter concerning this application.

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The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. § 1.16 or § 1.17 to the credit card in the previously filed credit card authorization form.

Respectfully submitted,

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